

WISCASSET BOARD OF SELECTMEN
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
AUGUST 16, 2011

(tape recorded meeting)

Present: Chair Judy Colby, Bill Curtis, Pam Dunning, Vice Chair David Nichols, Ed Polewarczyk and Town Manager Laurie Smith

1. Call to Order

Judy Colby called the meeting to order at 7 p.m.

2. Pledge of Allegiance to the Flag of the United States of America

3. Approval of Treasurer's Warrant: August 9, 2011 and August 16, 2011

David Nichols moved to approve the Treasurer's Warrants of August 9 and August 16, 2011. Vote 4-0-1. Ed Polewarczyk abstained, explaining that he still had objections to paying the RSU bill.

4. Approval of Minutes: August 2, 2011

Ed Polewarczyk moved to approve the minutes as presented. Vote 5-0-0.

5. Special Presentations or Awards - None

6. Appointments - None

7. Public Comment

Ken Boudin, Chairman of the Airport Committee gave an update on the Texas Flying Legends air show the previous weekend that was attended by approximately 3000 people, including many World War II veterans and pilots. Erv Deck, Airport Manager, thanked the volunteers, Chamber of Commerce and Board of Selectmen for their help with the show.

David Nichols moved that a letter be written to the Flying Legends in appreciation of what they did down here. Vote 5-0-0.

Steve Mehrl asked if anything could be done to have the owner clean up the closed Tony's Pizza restaurant.

Bill Curtis asked that the town put repair of the Scout Hall fire escape on its agenda. Although a former offer to fix the stairs by the American Legion had been made, that was no longer the case and the Town Manager said the town would put it back on the list.

The chairman asked that item 10. A be taken out of order.

10 New Business

A.. Award Commercial Pier Construction Bids

The Town Manager, Road Commissioner, and Harbormaster had met with Barney Baker, engineer representing Wright Pierce, to insure the completeness of the pier construction bids and to determine if the bids could be reduced. The lowest bid was \$370,000 by Prock Marine and the budget is \$350,000. Baker recommended accepting the low bid for a precast concrete deck and southern yellow pine piles, removing "store and replace floats" (which the town will do),

eliminating the electrical and mechanical work (will be upgraded in the future), using the town Transfer Station (if approved by DEP) for the demolition debris, and removing a small section of the pier which has been used as the turnaround for the snow-dumping trucks. **David Nichols moved that the Board of Selectmen authorize the Town Manager to award the Town Pier Replacement bid to Prock Marine as the lowest qualified bidder, not to exceed \$350,000. Vote 5-0-0.**

9 Unfinished Business

A. Update from Road Commissioner Greg Griffin on White's Island maintenance

Griffin reported that the repairs on the bridge were almost complete and estimated another week's work would complete the job. Several board members had visited the bridges since the last meeting and reported on their poor condition; they questioned spending additional funds on repairs. There was a consensus that the work authorized at the previous meeting be completed and that further repairs be considered in the capital improvement plan. The bridges will be blocked to prevent access.

B. Discuss Cable Franchise Fees

Mary Ellen Crowley, Director of Lincoln County Television, spoke in response to Donald Jones' presentation at the previous meeting. She explained that the franchise fee paid by the cable operator to the town is compensation for the public property used by the operator. If the town does not charge the cable company a franchise fee, it would devalue the worth of the public land. She added that if Wiscasset removed the franchise fee, subscribers' bills would be reduced temporarily but they would eventually be paying the same amount, as the fees would be raised to cover the lack of franchise fees paid by consumers. Inasmuch as the \$45,000 paid by Time Warner to the town is in the budget for the current fiscal year, there was a consensus to wait until next spring to consider the matter or negotiate with Time Warner when the current contract expires in 2014.

10. New Business

B. Open bids for Community Center treadmills

The following bids were received:

		<u>With Trade-in</u>
Fitness Equipment Northeast	\$11,700.00	NA
Cybex	10,558.63	\$10,158.63

The equipment will be on a four-year lease at approximately \$2,900 per year. **Pam Dunning moved that the Board of Selectmen authorize the Community Center Director, Todd Souza, to award the bid to the lowest qualified bidder. Vote 5-0-0.**

C. Discussion regarding voters' position on RSU 12

Judy Colby explained that the earliest date towns can begin the process to withdraw from an RSU is January 1, 2012. In order to determine the will of the voters, she recommended a non-binding referendum on the November ballot. The deadline to put the referendum on the ballot is September 6. **She moved that Selectmen approve a non-binding warrant article to approve beginning the withdrawal process from the RSU on January 1st.** She explained that the selectmen cannot ask for a binding referendum until after the withdrawal process begins.

Chet Grover said the RSU is not going well. Polls, non-binding referenda and letters have been ignored by the RSU. He said Wiscasset has to get back local control and he encouraged the board to remove Wiscasset from the RSU.

Steve Mehrl asked the board to consider the cost to withdraw and whether the town would have access to RSU funds. Judy Colby said after a petition and referendum vote, a committee made up of a selectman, an RSU member, a citizen and the petitioner will negotiate with the RSU on the withdrawal. No other action will be taken until the results of the referendum are known. Wiscasset will have two years to join another RSU or an AOS, during which time there will be no costs or penalties. The town will have to hire a negotiator to negotiate with the RSU.

Chris Teel from Dresden was given permission to speak as a non-resident. His daughter is a student at Wiscasset High School and he echoed Chet Grover's frustration with the RSU.

Bill Curtis moved the question. Vote 4-0-1. Vote on the motion 5-0-0.

11. Town Manager's Report

A. Board of Appeals Request: The board received a copy of a letter from the chair of the Board of Appeals denying an administrative appeal of the Code Enforcement Officer's decision. Smith explained that under the ordinance, the appeals board does not have the authority to act on decisions by the CEO.

B. Tidal Energy Study data: The scientists from Woods Hole Oceanographic Institution will begin a second round of studies of the velocities of the currents north of the Westport Bridge to determine what the electricity generating potential may be.

C. Intermodal Plan with Railroad Station: Smith reported that she had requested support from the Department of Transportation for Wiscasset's application to the Tiger 3 program. The project involves rail, bus, ship and vehicular traffic. Phase 1 is reconstruction of the commercial pier, Phase 2 is relocation of a temporary rail passenger facility, Phase 3 would expand the passenger building, and Phase 4 would be for the installation of a riverfront boardwalk. Smith said Gateway 1 is willing to use its consultant funds to assist Wiscasset in applying for the grant. **Pam Dunning moved to continue forward on the intermodal plan for the railroad station. Vote 5-0-0.**

D. Route 1 Traffic Update: According to the DOT, traffic counts between 7/12 to 8/8 for 2009 were 921,000, for 2010 were 945,000 and this year were 909,000. The next meeting will be on September 12 at 8:30 a.m. to review all data. Bill Curtis encouraged the DOT to put a traffic counter on Old Bath Road. Also at that meeting a letter was received from the Department of Transportation informing Wiscasset that although the Wiscasset Route 1 Corridor Study has been terminated, the commissioner would like to form a new group to identify, evaluate and potentially implement promising non-bypass solutions. He asked Smith to provide a list of potential participants. The focus will be on Wiscasset and Edgecomb. Bill Curtis, Judy Colby and Don Jones volunteered.

E. Police Chief Position: Smith announced the hiring of Troy Cline as police chief. He will begin work on August 29. The personnel policy stipulates two weeks' vacation for employees who have worked fewer than five years; however, Smith would like authorization to offer Cline three weeks, with one week in the bank to start. **Pam Dunning moved to approve the amendment. Vote 5-0-0.**

F. Town Planner Position: No decision has been made; two candidates will be interviewed a second time.

G. Bids for Bobcat and Transfer Station Truck: The Bobcat bid was awarded to Jordan of Falmouth. The bid was \$67,000; \$65,000 was budgeted and part of the cost will be taken from

the operating budget. The Transfer Station truck bid was awarded to O'Connor GMC. The bid was \$96,484; \$120,000 was budgeted.

H. Fireworks public hearing: A public hearing on the sale and/or use of fireworks will be held on September 13 at 7 p.m.

I. Notification from DEP regarding Shoreland Zoning Amendments: The DEP has approved the Village Waterfront District with conditions. **Judy Colby moved to ask the ORC to incorporate the conditions or work with the DEP on what ability the town has to modify the conditions and still meet the DEP's requirements. Vote 5-0-0.**

J. General Update: Smith reported she had written to the post office and to the State of Maine regarding safety issues brought to the board's attention at the last meeting. CEO Rick Lang had reviewed the safety issue on Main Street and found no violation of ADA rules.

The town has the opportunity to join the county in purchasing oil and Smith has advised the commissioners of the town's interest and needs. Smith said her goal was to purchase oil at \$3 per gallon.

12. Other Board Business

Judy Colby recommended that the board as a group visit the town departments. The town manager will arrange visits to the departments on Mondays beginning in September.

Judy Colby moved to go into executive session to discuss personnel matters pursuant to M.R.S.A. 405 (6)(a). Vote 5-0-0.

The board exited executive session at 9:37 p.m.

13. Adjournment

The meeting adjourned at 9:37 p.m.